

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# **PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

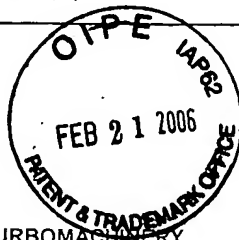
129274-1/YOD (GERD:0084)

First named inventor: Farshad Ghasripoor

Application No.: 10/813,102

Filed: March 30, 2004

Title: SEALING DEVICE AND METHOD FOR TURBOMACHINERY



Art Unit: 3745

Examiner: Unassigned

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

## **APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

### **1. Petition fee**

☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m)) Authorized to charge: Deposit Acct. No. 07-0868; Order No. 129274-1/YOD

### **2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in

the form of Property Rights Declaration under 35 U.S.C Section 25 (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_
- ☒ is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

- ☐ has been paid previously on \_\_\_\_\_
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

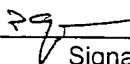
- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

8/2/2005

Date



Signature

Telephone

Number: (281) 970-4545

Patrick S. Yoder

Typed or printed name

P.O. Box 692289

Address

Houston, Texas 77269-2289

Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☒ Other: Property Rights Declaration und 35 U.S.C. Section 25

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

August 2, 2005

Date



Signature

Lynda Howell

Type or printed name of person signing certificate



Please indicate receipt of  
the below-identified paper:

☐ New Application    ☐ Specification: \_\_\_\_\_ Pages; Drawings: \_\_\_\_\_ Sheets  
☐ Continuation    ☐ Divisional    ☐ CIP    ☐ CPA

☐ Response to Office Action dated \_\_\_\_\_ ☐ Final Rejection  
☒ Other Transmittal letter for Property Rights Declaration (1pg.); Property Rights  
under 35 USC §25 (5 pgs.); Copy of "Notice dated 14 June 2005" (1pg.);  
Resp. to Notice of Abandonment (1pg.); copy of Notice of Abandmnt (1pg).  
Petition to Revive Application

☐ Assignment enclosed    ☒ Cert. Of Timely Mailing    ☐ Express Mail

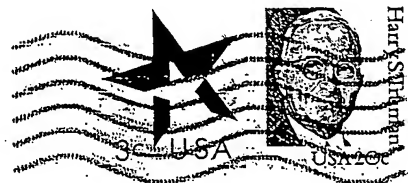
Identification of Application:

Serial No. 10/813,102  
Title SEALNG DEVICE AND METHOD FOR TURBOMACHINERY

Applicant Farshad Ghasripoor et al.  
Client GE Global Research  
File No. GERD:0084/129274-1 Attorney YOD  
Mailed 08/02/05 Filed \_\_\_\_\_ Due Date \_\_\_\_\_

NO VA, 220

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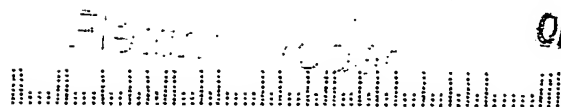


FLETCHER YODER

PO Box 692289  
HOUSTON, TEXAS 77269-2289

RECEIVED

SEP 19 2005



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SEP 19 2005  
OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Farshad Ghasripoor et al

Serial No.: 10/813,102

Filed: March 30, 2004

For: SEALING DEVICE AND  
METHOD FOR  
TURBOMACHINERY



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Group Art Unit: 3745

Examiner: Unassigned

Atty. Docket: 129274-1/YOD  
(GERD:0084)

Mail Stop L&R

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop L&R, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

August 2, 2005

Date

Lynda Howell

**RESPONSE TO NOTICE OF ABANDONMENT**  
**MAILED FEBRUARY 11, 2005**


Please find enclosed, a Petition to Revive Application and a Property Rights Declaration, in Response to the "Notice of Abandonment" dated May 23, 2005 (copy of which is enclosed herewith).

The application was subject to a "45-Day Letter" and subsequently to a "30-Day Letter" (response enclosed). At the time, the Application file was being transferred for prosecution to the undersigned. No procedure was established for the response, and the undersigned contacted the Office of Licensing and Review for direction..

The entire delay in filing the enclosed Petition was unintentional.

Date: 8/2/2005

Respectfully submitted,

  
Patrick S. Yoder  
Reg. No. 37,479  
FLETCHER YODER  
P.O. Box 692289  
Houston, TX 77269-2289  
(281) 970-4545



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address : COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/813,102	03/30/2004	Farshad Ghasripoor	

Patrick S. Yoder  
FLETCHER YODER  
P.O. Box 692289  
Houston, TX 77269-2289



EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

23 MAY 2005

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☒ Applicant's failure to respond to the Office letter, mailed 2-11-05
- ☐ Applicant's letter of express abandonment which is in compliance with 37 C.F.R. 1.138.
- ☐ Applicant's failure to timely file the response received \_\_\_\_\_ within the period set in the Office letter.
- ☐ Applicant's failure to pay the required issue fee within the statutory period of 3 months from the mailing date of \_\_\_\_\_ of the Notice of Allowance.

- ☐ The issue fee was received on \_\_\_\_\_
- ☐ The issue fee has not been received in Allowed Files Branch as of \_\_\_\_\_

In accordance with 35 U.S.C. 151, and under the provisions of 37 C.F.R. 1.316(b), applicant(s) may petition the Commissioner to accept the delayed payment of the issue fee if the delay in payment was unavoidable. The petition must be accompanied by the issue fee, unless it has been previously submitted, in the amount specified by 37 C.F.R. 1.17 (l), and a verified showing as to the causes of the delay.

If applicant(s) never received the Notice of Allowance, a petition for a new Notice of Allowance and withdrawal of the holding of abandonment may be appropriate in view of *Delgar Inc. v. Schuyler*, 172 U.S.P.Q. 513.

- ☐ Applicant's failure to timely correct the drawings and/or submit new or substitute formal drawings by \_\_\_\_\_ as required in the last Office action:  
☐ The corrected and/or substitute drawings were received on \_\_\_\_\_
- ☐ The reason(s) below.

Abandon ?  
**DOCKETED**  
FOR 7/23/2005  
BY 25/12  
CHECK'D BY \_\_\_\_\_

Joanne P. Hodge  
Supervisory Legal Instruments Examiner  
Group 3600

**RECEIVED**

MAY 23 2005

Patents: Yoder



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

Farshad Ghasripoor et al.

Serial No.: 10/813,102

Filed: March 30, 2004

For: SEALING DEVICE AND  
METHOD FOR  
TURBOMACHINERY

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Group Art Unit: 3745

Examiner: Unassigned

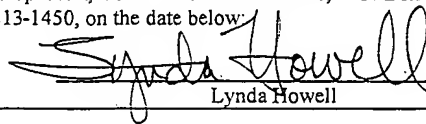
Atty. Docket: 129274-1/YOD  
(GERD:0084)

Mail Stop L&R  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop L&R, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

August 2, 2005  
Date

  
Lynda Howell

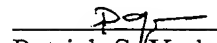
Dear Sir:

**RESPONSE TO NOTICE DATED FEBRUARY 11, 2005**

Please find enclosed a Property Rights Declaration under 35 U.S.C. § 25 in Response to the "Notice" dated February 11, 2005 (copy of which is enclosed herewith).

Date: 8/2/2005

Respectfully submitted,

  
Patrick S. Yoder  
Reg. No. 37,479  
FLETCHER YODER  
P.O. Box 692289  
Houston, TX 77269-2289  
(281) 970-4545



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/813,102	03/30/04	AGHASRIPOOR, ET AL	GERD-0084-12974-1/YOD

PATRICK S. YODER  
FLETCHER YODER  
P.O. BOX 692289  
HOUSTON, TX 77269-2289

EXAMINER

PATENT & TRADEMARK OFFICE

ART UNIT

MAILED

PAPER NO.

FEB 11 2005

DATE MAILED:

LICENSING & REVIEW

REQUIREMENT FOR STATEMENT UNDER §305(c) OF THE AERONAUTICS AND SPACE ACT

The subject matter of this application appears to have significant utility in the conduct of aeronautical and space activities.

No patent for any invention which has significant utility in the conduct of aeronautical and space activities may issue unless the applicant files a statement under oath WITHIN THIRTY DAYS from request thereof by the Commissioner of Patents & Trademarks setting forth the full facts concerning the circumstances under which the invention was made and stating the relationship (if any) of such invention to the performance of any work under any contract of the National Aeronautics and Space Administration. See 42 U.S. §2457(c) (Public Law 85-568, the National Aeronautics and Space Act of 1958, §305c).

Applicant is hereby given a period of THIRTY DAYS from the mailing date of this letter to file the required statement under 42 USC §2457(c). Failure to submit the required statement within the thirty day period will result in ABANDONMENT of the application. The thirty day period is fixed by §2457(c) of the Act and cannot be extended. Thus, no extension of this period may be obtained under either 37 CFR §1.136(a) or (b).

Joanne P. Hodge  
Supervisory Applications Examiner  
Special Laws Administration

Please direct all written communications regarding this matter to:

~~The Commissioner of Patents & Trademarks~~  
~~Washington, D.C. 20231~~

Attention: Licensing & Review

Please direct all telephone calls regarding this matter to:

James Samuels, (703) 305-0239

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Farshad Ghasripoor et al.

Serial No.: 10/813,102

Filed: March 30, 2004

For: SEALING DEVICE AND  
METHOD FOR  
TURBOMACHINERY

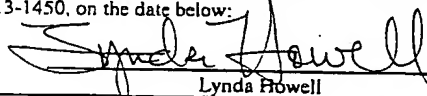
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Group Art Unit: 3745

Examiner: Unassigned

Atty. Docket: 129274-1/YOD  
GERD:0084

Mail Stop L&R  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Mail Stop L&R, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
8/2/2005 /Date	 Lynda Howell

**PROPERTY RIGHTS DECLARATION UNDER 35 U.S.C. § 25**

We, Farshad Ghasripoor, Murtuza Lokhandwalla, Raymond Edward Chupp and Nitin Bhate, declare that:

- (1) We made and conceived the invention described and claimed in patent application serial number 10/813,102 filed in the United States of America on March 30, 2004 entitled SEALING DEVICE AND METHOD FOR TURBOMACHINERY;
- (2) We made and conceived this invention while employed by General Electric Company, a New York Corporation;
- (3) That this invention is related to the work we are employed to perform and was made within the scope of our employment duties;
- (4) We made this invention during working hours and with the use of facilities, equipment, materials, funds, information and services of General Electric Company, and



- (5) To the best of our knowledge and belief:
- (a) The invention or discovery was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy; and
- (b) The invention was not made (conceived or first actually reduced to practice) under nor is there any relationship of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration.

The undersigned inventor(s) declare(s) further that all statements made herein of his or her (their) own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of first joint inventor: **Farshad Ghasripoor**

Inventor's signature



Date: 8/1/05

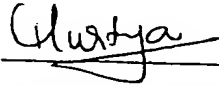
Residence: Scotia, New York

Citizenship: United Kingdom

Post Office Address: 5 Pinewood Dr., Scotia, New York 12302

Full name of second joint inventor: **Murtuza Lokhandwalla**

Inventor's signature



Date: 08/01/2005

Residence: Clifton Park, New York

Citizenship: India

Post Office Address: 3 Belvedere Place, Clifton Park, New York 12065

Full name of third joint inventor: **Raymond Edward Chupp**

Inventor's signature Raymond Edward Chupp Date: 8/1/05

Residence: Glenville, New York

Citizenship: USA

Post Office Address: 119 Acorn Dr., Glenville, New York 12302

Full name of fourth joint inventor: **Nitin Bhate**

Inventor's signature M. N. Bhate Date: 08/01/2005

Residence: Rexford, New York

Citizenship: India

Post Office Address: 45 Aster Dr., Rexford, New York 12148